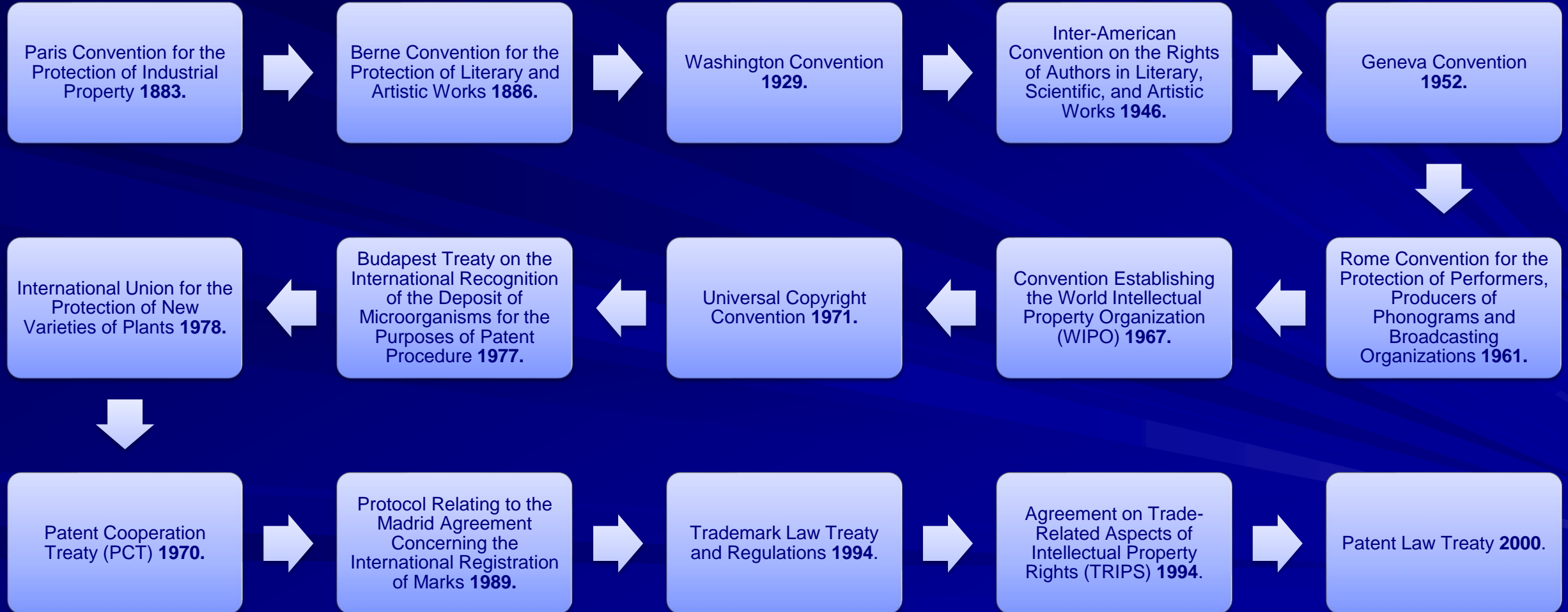




# INTELLECTUAL PROPERTY

# INTERNATIONAL REGULATIONS



# INSTITUCIONES INTERNACIONALES DPI



World Intellectual Property Organization (WIPO)



World Trade Organization (WTO)



United Nations Educational, Scientific and Cultural Organization (UNESCO)



Organisation for Economic Co-operation and Development (OECD)



Its objective is to develop an international intellectual property (IP) system that is balanced, accessible, and rewards creativity, stimulates innovation, and contributes to economic development, while safeguarding the public interest.

Its main function is to ensure that commercial flows circulate with the greatest fluidity, predictability and possible freedom.

UNESCO is a organization specialized in the United Nations with the objective of contributing to peace and security in the world through education, science, culture, and communications.

It considers access to education, information, and freedom of expression as pillars of the knowledge society.

Promote policies that foster prosperity, equality, opportunities, and well-being for all people.

# REGIONAL DPI INSTITUTIONS



Andean Community



Decision 486. Regime common on Property Industrial – Commission the Andean Community.



Community Court of Justice Andean



Jurisdictional Body of the CAN. Supranational that safeguards the Cartagena Agreement, ensure the uniform application and interpretation of Andean law. Arbitration function.



Court Union Justice European (CJEU)



Interprets legislation the EU to ensure what apply in the same way in all member countries, and resolves disputes between national governments and European institutions.

**INTELLECTUAL PROPERTY**

**Copyright**

**Morales**

**Patrimonial**

**Literary works**

**Artistic works**

**Scientific works**

**Related rights**

**Rights of artists,  
performers ,  
producers  
of phonograms  
and broadcasting  
organizations.**



# COPYRIGHT

■ In legal terminology, the term “copyright” is used to describe the rights of creators over their literary and artistic works. Works that lend themselves to copyright protection range from books, music, paintings, sculpture and films to computer programs, databases, advertisements, maps and technical drawings (Ompi, s.f).



# IPR BRANCHES – COPYRIGHT



## Berne Convention

- Art. 2. “The terms “literary works and artistic include all productions in the literary field scientific and artistic, whatever the mode or form of expression”.



## WIPO Treaty on Rights of Autor

- Art 2. “The protection of Copyright will cover the expressions but not the ideas, procedures, methods of operation or concepts mathematicians themselves”.



## Decision 351 of 1993

- Art. 7 “protected Is left over exclusively the form through what the ideas of author are described, explained, illustrated or incorporated into the plays. (...)”



## ADPIC

- Art. 09 “(...) The protection of Copyright will cover the expressions but not the ideas, procedures, methods of operation or concepts mathematicians themselves”



## Law 23 of 1982

- Art.2 “copyright fall on the Works scientific, literary and artistic which They include all the creations of the spirit in the scientific, literary and artistic, whatever the mode or form of expression and whatever your destination”.



# IPR PRINCIPLES – COPYRIGHT

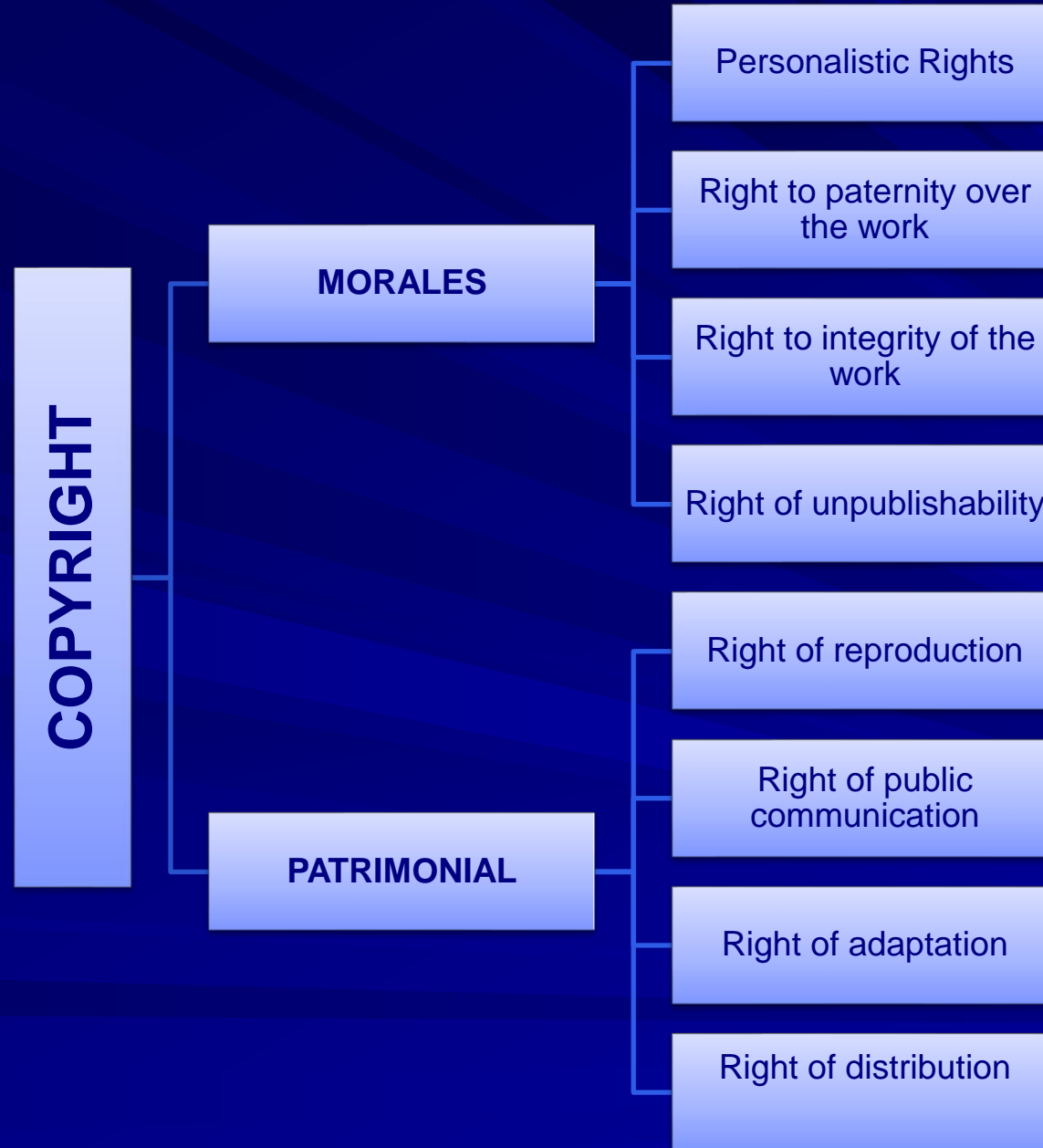
No protection of ideas

No protection of methodologies, scientific theories or mathematical formulas.

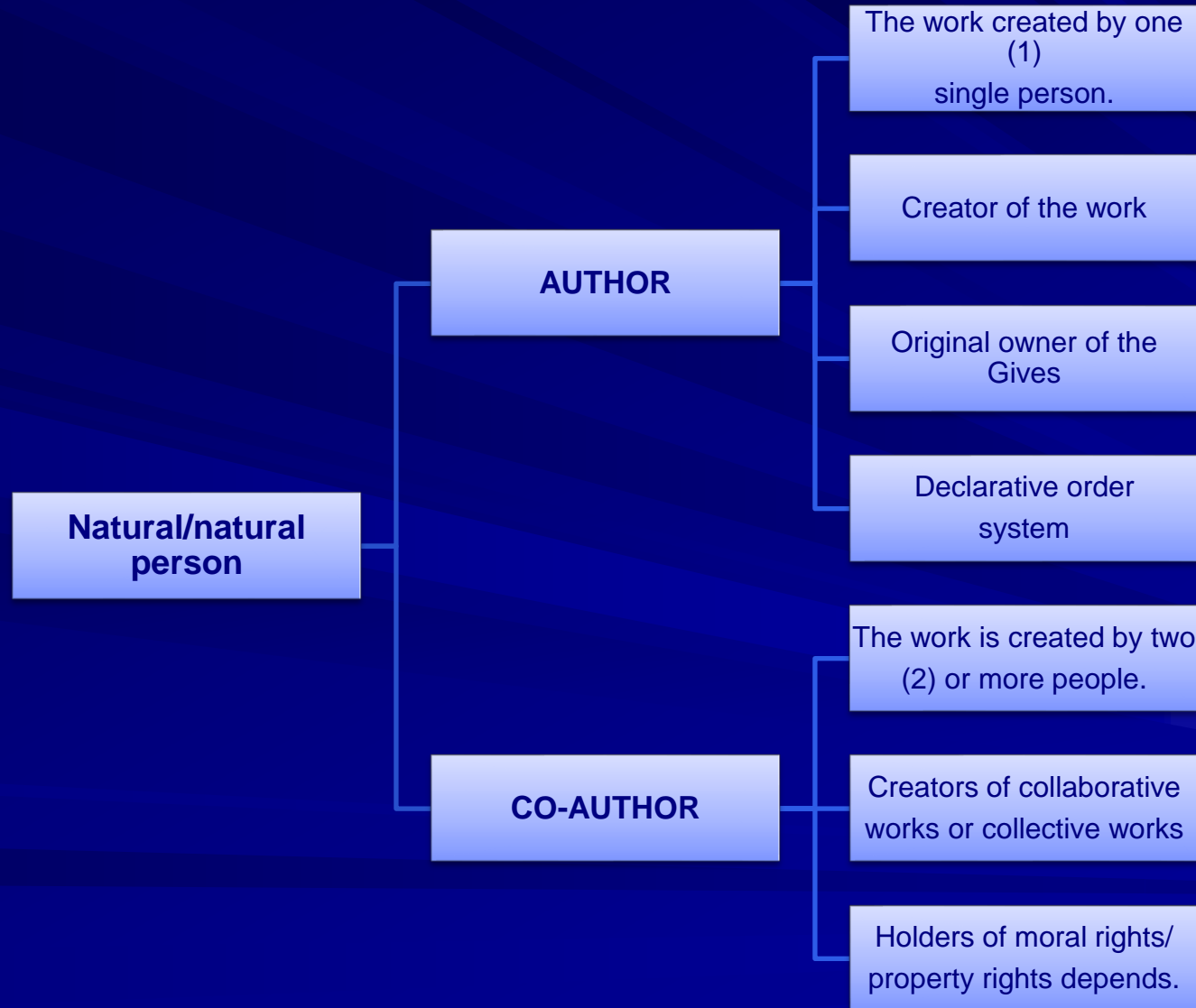
Originality

Lack of formalism

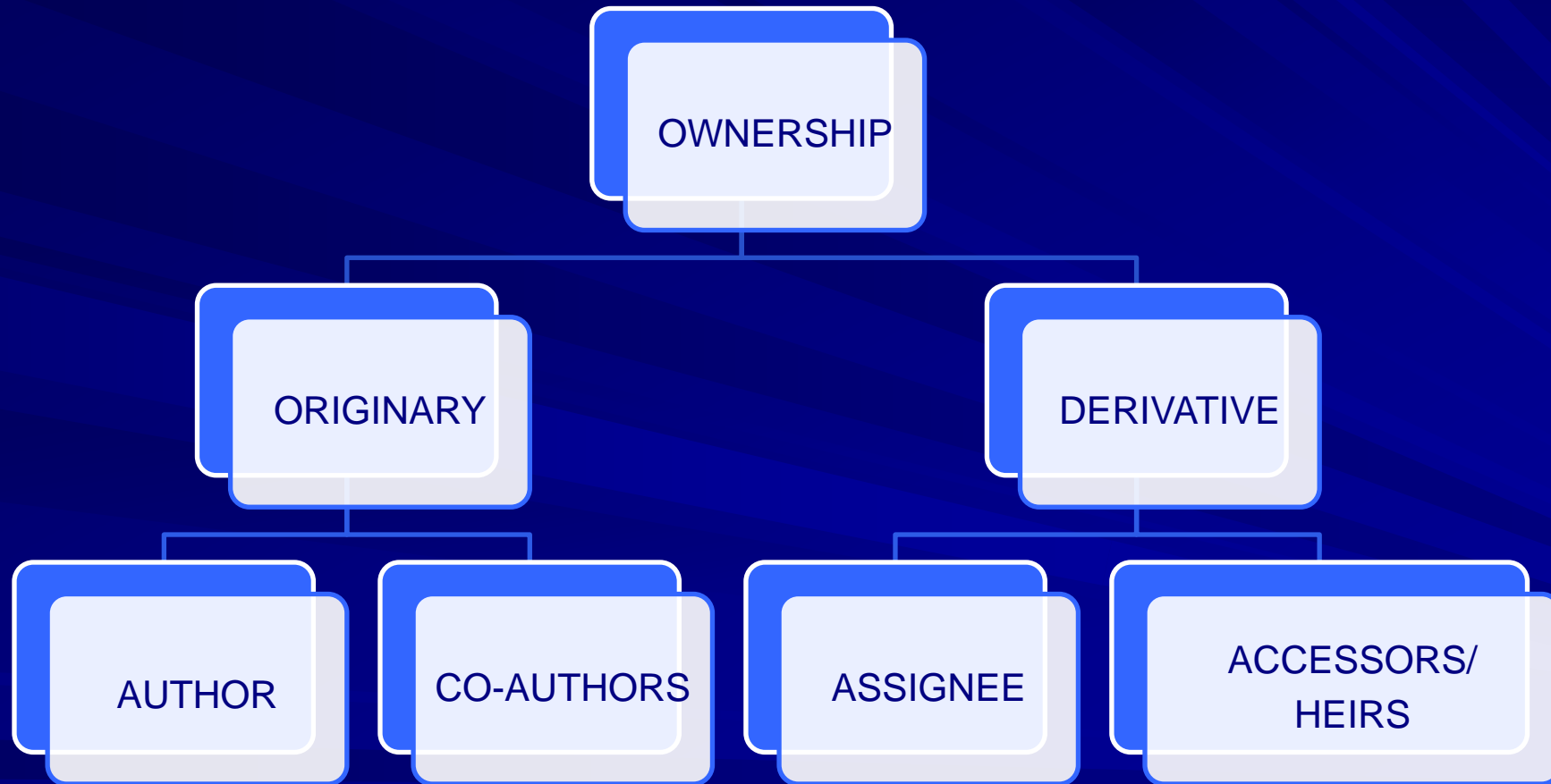




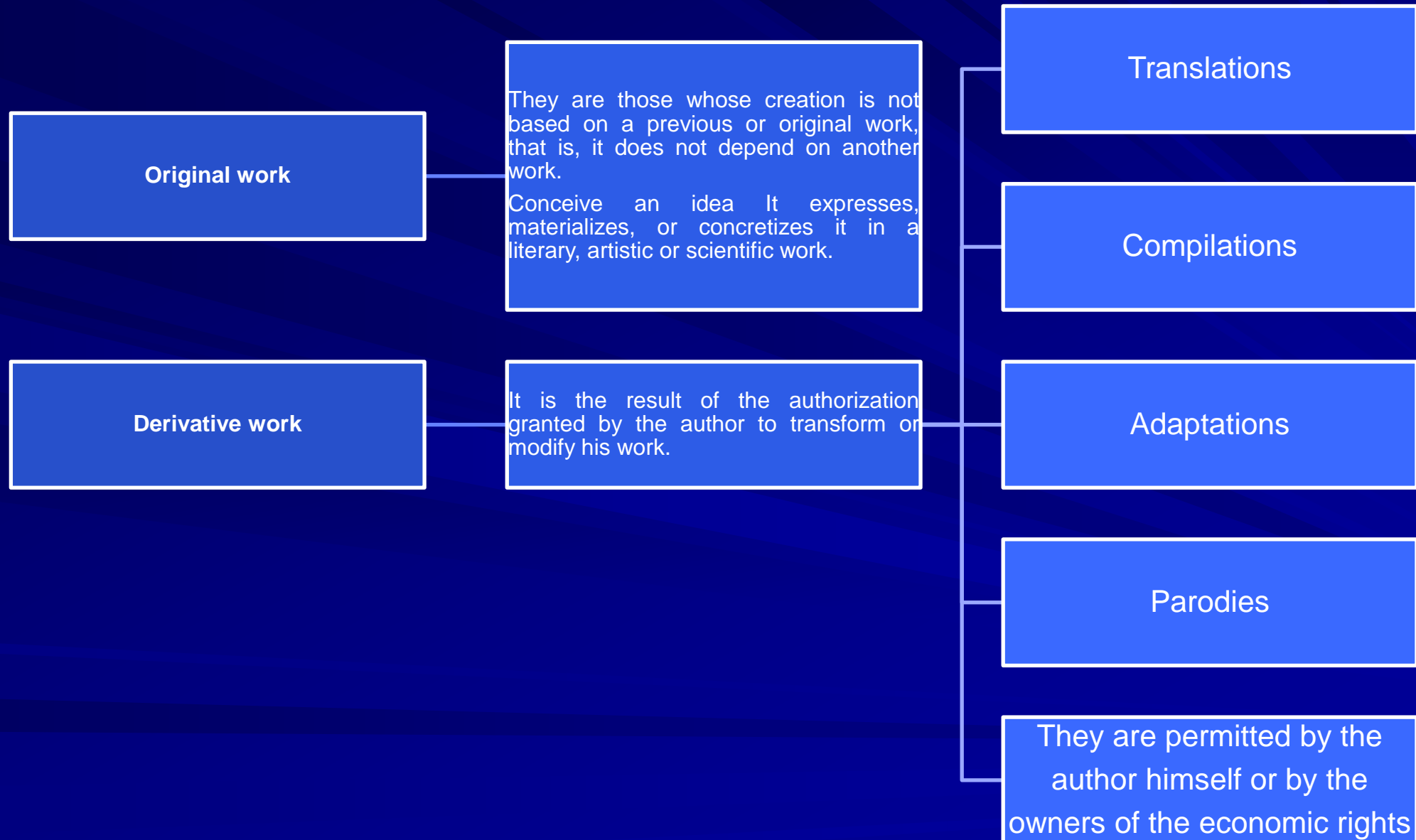
# COPYRIGHT – SUBJECT



# COPYRIGHT – OWNERSHIP



# TYPE OF WORK







# PROTECTION PERIODS



## Berne Convention

- Life of the author + 50 years after their death.
- Anonymous or pseudonymous works, 50 years after they have been lawfully made available to the public.
- Photographic works and applied art: 25 years from their creation.



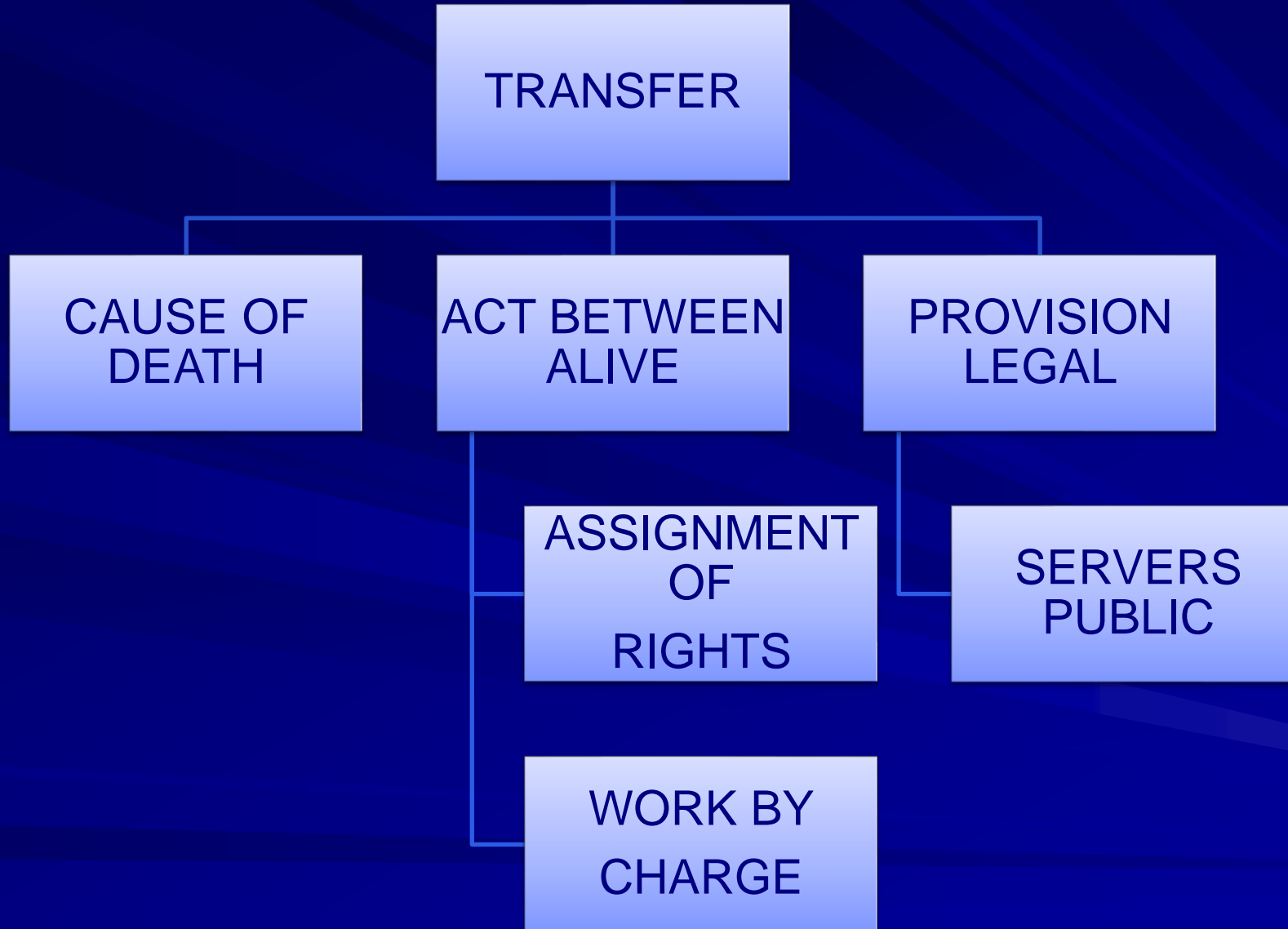
## DECISION 351

- Life of the author + 50 years after their death.
- Legal entity: 50 years from the creation, publication, disclosure, or as applicable.

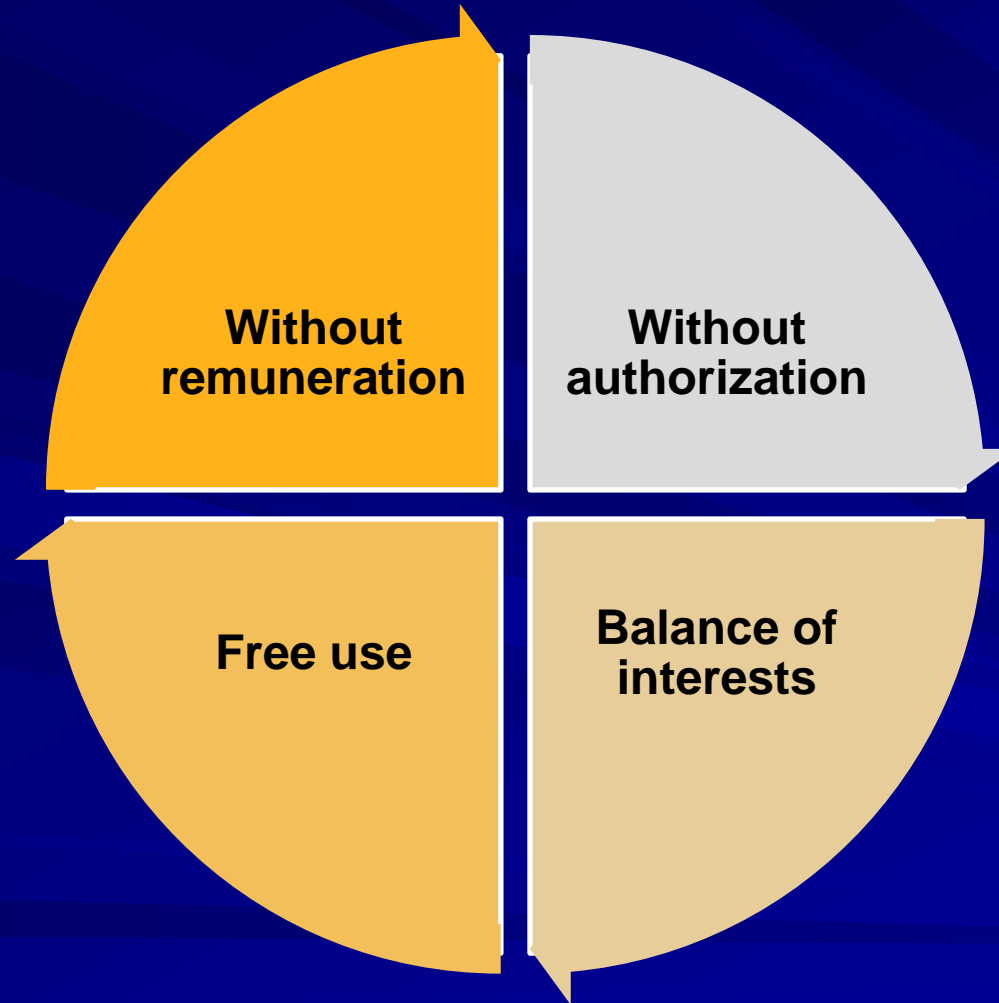


## LAW 23 OF 1982

- Life of the author + 80 years after their death.
- If there are no heirs or successors, it will enter the public domain upon death.
- Acquirers: life of the author + 25 years after their death, without prejudice to any stipulation; for heirs, the remainder of the 80 years.
- Legal entity or official entity: 30 years.
- Anonymous work: 80 years from its publication.

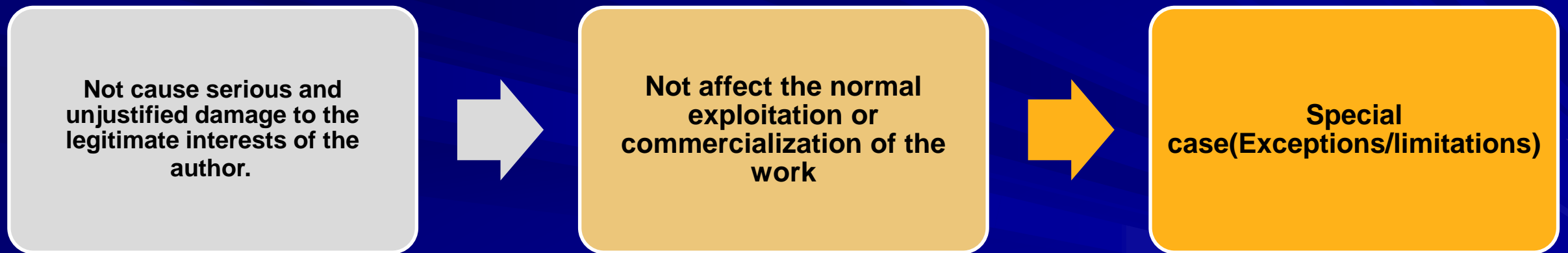


# COPYRIGHT FLEXIBILITIES





# COPYRIGHT FLEXIBILITIES – THREE STEP RULE



# COPYRIGHT – LIMITATIONS AND EXCEPTIONS



# ARTIFICIAL INTELLIGENCE (AI)



The interaction between AI and intellectual property is constantly evolving, and we are likely to see significant changes in legislation and legal practices as AI continues to advance and play a more prominent role in creation and invention.

Examples and Cases:

**DeepArt and DABUS:** Cases such as DeepArt, where an AI creates art, or DABUS, an AI system that has been presented as an inventor in patent applications in several countries, illustrate these challenges. In some cases, patent offices have rejected these applications because the AI cannot be recognized as the inventor.

The use of AI raises important ethical and legal questions, such as liability in the event of infringement of intellectual property rights by an AI and the need to update laws to address these new challenges. Different jurisdictions are addressing these issues in varying ways, and we are likely to see changes to the legislation in the coming years.



THANK YOU.